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DEPT FOR OES/OFA/OPA, EAP/J

USDOC FOR NOAA ADMINISTRATOR DR. JOHN BYRNE AND FOR
 NOAA/NMFS TO PASS TO F/M321

E.O.12356: DECL: OADR
 TAGS: EFIS, JA, IWC-1
 SUBJECT: DIET MEMBERS MEET U.S. CONGRESSMAN BREAU
 ON FISHERIES AND WHALING ISSUES

REF: (A) TOKYO 12958; (B) TOKYO 13281; (C) TOKYO 17285;
 (D) TOKYO 17456; (E) TOKYO 17541; (F) STATE 249337

1. (C - ENTIRE TEXT).

2. SUMMARY. MEMBERS OF JAPAN NATIONAL DIET MEET
 U.S. CONGRESSMAN AND DISCUSS USG/GOJ FISHERIES
 COOPERATION AND WAYS OF AVOIDING A CONFRONTATION
 ON WHALE ISSUE. DIET MEMBERS INDICATE INTENTION
 TO VISIT WASHINGTON IN SEPTEMBER. END SUMMARY.

3. ON AUGUST 23, CONGRESSMAN JOHN BREAU MET WITH
 THREE MEMBERS OF JAPAN NATIONAL DIET TO DISCUSS
 FISHERIES AND WHALING ISSUES. THE MEMBERS WERE:
 FUMIO ABE, CHAIRMAN OF THE HOUSE OF REPRESENTATIVES'
 COMMITTEE ON AGRICULTURE, FORESTRY AND FISHERIES
 (REFTEL), REPRESENTATIVE FUKUJIRO KIKUCHI, CHAIRMAN
 OF THE LDP (LIBERAL DEMOCRATIC PARTY) FISHERIES
 COMMITTEE, AND SENATOR TOMOYOSHI KAMENAGA, OF THE
 UPPER HOUSE OF COUNCILORS AND CHAIRMAN OF THE LDP
 WHALING SUBCOMMITTEE (NOTE: KAMENAGA IS ALSO
 PRESIDENT ON THE JAPAN FISHERIES ASSOCIATION).

PREVIOUS REFTELS HAVE REPORTED ON FISHERIES COMMENTS
 FROM ABE (REFTEL A) AND KAMENAGA (REFEL B).

4. REPRESENTATIVE ABE CHARACTERIZED USG/GOJ
 FISHERIES RELATIONS AS "GENERALLY GOOD" BUT HE
 EMPHASIZED THE NEED FOR AN ASSURED LEVEL OF
 ALLOCATIONS THAT WOULD PERMIT JAPANESE FISHING
 COMPANIES TO DECIDE UPON THEIR FUTURE BUSINESS
 OPTIONS, INCLUDING INVESTMENT OPPORTUNITIES AND
 REQUESTS FOR TECHNOLOGY TRANSFERS TO U.S.
 COMPANIES. HE SAID THE MAJOR USG/GOJ FISHERIES
 PROBLEM IS WHALING BECAUSE OF THE POSSIBILITY
 OF USG SANCTIONS UNDER THE PACKWOOD AMENDMENT
 TO THE MAGNUSON FISHERY CONSERVATION AND MANAGEMENT

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ACT (MFCMA). REPRESENTATIVE KIKUCHI POINTED OUT THAT BECAUSE WHALING HAS A LONG HISTORY IN JAPAN, ANY DECISION ON THE MATTER HAS IMPORTANT ECONOMIC, SOCIAL AND POLITICAL IMPLICATIONS. FOR EXAMPLE, HE MENTIONED THAT CALLS TO WITHDRAW FROM THE INTERNATIONAL WHALING COMMISSION (IWC) HAVE RESULTED FROM RECENT IWC DECISIONS THAT JAPAN BELIEVES WERE BASED ON EMOTION RATHER THAN SCIENCE. SOME OTHER RESPONSES INCLUDE REACTIONS AGAINST U.S. FISHERIES IMPORTS IF THE USG SANCTIONS GOJ FOR ITS POSITION ON WHALING THAT GOJ BELIEVES "IS CONSISTENT WITH SCIENTIFIC EVIDENCE". CONSEQUENTLY, THE LDP HAS FORMED A WHALING SUBCOMMITTEE TO STUDY THE CURRENT PROBLEM. HE STATED THAT IN ADDITION TO ALLOCATIONS AND WHALING, THE COMMITTEE HAS BEEN DISCUSSING TARIFFS ON FISHERIES PRODUCTS, TECHNOLOGY TRANSFERS AND INVESTMENT OPPORTUNITIES.

5. ABE SAID THAT, OF ALL THE DIET MEMBERS INTERESTED IN FISHERIES PROBLEMS, ONLY SENATOR KAMENAGA HAD VISITED THE UNITED STATES ON FISHERIES BUSINESS. ACCORDINGLY, HE SAID THAT DIET MEMBERS INVOLVED IN FISHERY ISSUES WERE HOPING TO VISIT U.S. CONGRESSMEN IN SEPTEMBER. AN ITINERARY FOR THE PROPOSED TRIP HAS NOT BEEN SETTLED BUT ABE SAID HE WOULD LIKE IT TO FOLLOW THE MEETING SENATOR KAMENAGA SAID WAS BEING SCHEDULED BETWEEN USG/GOJ WHALE SCIENTISTS IN MID-SEPTEMBER. CONGRESSMAN BREAUX CONCURRED ON THE TRIP AND OFFERED HIS COOPERATION.

6. SENATOR KAMENAGA WARNED THAT ANY USG/GOJ UNDERSTANDINGS ON WHALING WOULD REQUIRE AGREEMENT FROM GOVERNMENT OFFICIALS, INDUSTRY REPRESENTATIVES AND MEMBERS OF THE DIET AND CONGRESS. HE TOLD HOW HARD IT WAS TO NEGOTIATE ANY AGREEMENTS WITH THE USG BECAUSE BOTH INDUSTRY AND CONGRESS WERE ALSO INVOLVED. GOJ/USSR TALKS WERE LESS COMPLICATED BECAUSE ONE DECISION-MAKER COULD SPEAK WITH AUTHORITY FOR THE GOVERNMENT. KAMENAGA NOTED THAT HIS ELECTORAL DISTRICT DID NOT INCLUDE ANY WHALING OPERATIONS BUT HE HAD BEEN NOMINATED AS HEAD OF THE WHALING COMMITTEE BECAUSE OF HIS FISHERIES EXPERIENCE. HE WANTED TO SEE THE SCIENTIFIC

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QUESTIONS THAT WERE DISCUSSED AT LAST WEEK'S USG/GOJ WHALING BILATERAL CONSULTATIONS SETTLED BEFORE THE START OF THE JAPANESE SPERM WHALE SEASON THAT STARTS ON OCTOBER 1.

7. CONGRESSMAN BREAUX TOLD THE DIET MEMBERS THAT THE MFCMA COULD BE AMENDED TO PROVIDE FOR ASSURANCES OF ALLOCATIONS FOR COUNTRIES THAT ARE WILLING TO ENTER INTO LONG-TERM BUSINESS AGREEMENTS WITH U.S. FISHING COMPANIES. HE CONFIRMED THAT THE MFCMA WOULD BE REVIEWED IN CONGRESS IN JANUARY AND THAT HE WOULD BE LOOKING INTO POSSIBLE ADJUSTMENTS TO THE ACT AT THAT TIME.

8. COMMENT: AT THIS MEETING AND DURING MEETINGS

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WITH GOJ OFFICIALS (REFTELS C, D AND E) DURING HIS WEEK LONG VISIT AS A GUEST OF THE MINISTRY OF FOREIGN AFFAIRS (MOFA), BREAUX INDICATED THAT HE MIGHT BE ABLE TO SCHEDULE CONGRESSIONAL HEARINGS OR CALL FOR A GOVERNMENT REVIEW OF PRESENT USG WHALING POLICY AS A MEANS OF AVOIDING THE NECESSITY OF A CERTIFICATION UNDER THE PACKWOOD AMENDMENT TO THE MAGNUS FISHER CONSERVATION MANAGEMENT ACT (MFCMA) BUT THAT, IN THE MEANTIME, GOJ WOULD HAVE TO MAKE SURE THAT NO SPERM WHALES WERE TAKEN IN VIOLATION OF THIS SUMMER'S IWC DECISION NOT TO SET A QUOTA FOR THE SPECIES.

THE DEPARTMENT'S SUMMARY OF USG/GOJ WHALING BILATERAL CONSULTATIONS IN WASHINGTON FROM AUGUST 13-15 (REFTEL F) ALSO REFERS TO EFFORTS TO "AVOID OR DELAY CERTIFICATION" (PARA 3). IN LIGHT OF THE POSSIBILITY OF A SEPTEMBER VISIT TO WASHINGTON BY JAPAN NATIONAL DIET MEMBERS WHO ARE INTERESTED IN FISHERIES ISSUES, IT WILL BE IMPORTANT TO MAKE SURE THAT ANY PROPOSED SOLUTIONS AT THE CONGRESSIONAL/DIET LEVEL ARE COORDINATED WITH USG/GOJ DISCUSSIONS.

9. PLEASE KEEP POST ADVISED ON CURRENT APPROACHES BEING TAKEN BY THE DEPARTMENT AND OTHERS SUCH AS CONGRESSMAN BREAUX AS THE WHALING SITUATION DEVELOPS IN THE COMING WEEKS.

MANSFIELD
END OF MESSAGE

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